

1
2 A CONFIRMING RESOLUTION designating an
3 "Economic Revitalization Area" under I.C.
4 6-1.1-12.1 for property commonly known as
5 7615 Disalle Boulevard, Fort Wayne,
6 Indiana, 46825 (Xolox Corporation/S&W
7 Partnership, Ltd.)

8 WHEREAS, Common Council has previously designated and
9 declared by Declaratory Resolution the following described
10 property as an "Economic Revitalization Area" under Division
11 6, Article II, Chapter 2 of the Municipal Code of the City of
12 Fort Wayne, Indiana, of 1974, as amended and I.C. 6-1.1-12.1,
13 to wit:

14 Attached hereto as "Exhibit A" as if a part herein

15 said property more commonly known as 7615 Disalle
16 Boulevard, Fort Wayne, Indiana 46825; and

17 WHEREAS, said project will create 193 permanent jobs for
18 a total additional annual payroll of \$3,263,100, with the
19 average new annual job salary being \$16,907.25; and

20 WHEREAS, the total estimated project cost is \$8,100,000;
21 and

22 WHEREAS, recommendations have been received from the
23 Committee on Finance and the Department of Economic
24 Development concerning said Resolution; and

25 WHEREAS, notice of the adoption and substance of said
26 Resolution has been published in accordance with I.C. 6-1.1-
27 12.1-2.5 and I.C. 5-3-1 and a public hearing has been
28 conducted on said Resolution; and

29 WHEREAS, if said Resolution involves an area that has
30 already been designated an allocation area under I.C. 36-7-14-
31 39, The Fort Wayne Redevelopment Commission has adopted a
32 Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously
designating the above described property as an "Economic
Revitalization Area" is confirmed in all respects.

1 **SECTION 2.** That, the hereinabove described property is
2 hereby declared an "Economic Revitalization Area" pursuant to
3 I.C. 6-1.1-12.1, said designation to begin on the effective
4 date of this Resolution and continue for a three (3) year
5 period. Said designation shall terminate at the end of that
6 three (3) year period.

7 **SECTION 3.** That, said designation of the hereinabove
8 described property as an "Economic Revitalization Area" shall
9 apply to both a deduction of the assessed value of real estate
10 and personal property for new manufacturing equipment.

11 **SECTION 4.** That, the estimate of the number of
12 individuals that will be employed or whose employment will be
13 retained and the estimate of the annual salaries of those
14 individuals and the estimate of the value of redevelopment or
15 rehabilitation and the estimate of the value of the new
16 manufacturing equipment, all contained in Petitioner's
17 Statement of Benefits are reasonable and are benefits that can
18 be reasonably expected to result from the proposed described
19 redevelopment or rehabilitation and from the installation of
20 the new manufacturing equipment.

21 **SECTION 5.** The current year approximate tax rates for
22 taxing units within the City would be:

23 (a) If the proposed development does not occur, the
24 approximate current year tax rates for this site
25 would be \$8.3194/\$100.

26 (b) If the proposed development does occur and no
27 deduction is granted, the approximate current year
28 tax rate for the site would be \$8.3194/100 (the
29 change would be negligible).

30 (c) If the proposed development occurs and a deduction
31 percentage of fifty percent (50% is assumed, the
32 approximate current year tax rate for the site
would be \$8.3194/\$100 (the change would be
negligible).

1 (d) If the proposed new manufacturing equipment is not
2 installed, the approximate current year tax rates
3 for this site would be \$8.3194/\$100.

4 (e) If the proposed new manufacturing equipment is
5 installed and no deduction is granted, the
6 approximate current year tax rate for the site
7 would be 8.3194/\$100 (the change would be
8 negligible).

9 (f) If the proposed new manufacturing equipment is
10 installed and a deduction percentage of eighty
11 percent 80%) is assumed, the approximate current
12 year tax rate for the site would be \$8.3194/\$100
13 (the change would be negligible).

14 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby
15 determined that the deduction from the assessed value of the
16 real property shall be for a period of ten (10) years, and
17 that the deduction from the assessed value of the new
18 manufacturing equipment shall be for a period of five (5)
19 years.

20 **SECTION 7.** The benefits described in the Petitioner's
21 Statement of Benefits can be reasonably expected to result
22 from the project and are sufficient to justify the applicable
23 deductions.

24 **SECTION 8.** For new manufacturing equipment, a
25 deduction application must contain a performance report
26 showing the extent to which there has been compliance with the
27 statement of benefits form approved by the Fort Wayne Common
28 Council at the time of filing.

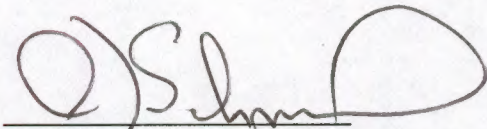
29 **SECTION 9.** For real property, a deduction application
30 must contain a performance report showing the extend to which
31 there has been compliance with the Statement of Benefits form
32 approved by the Fort Wayne Common Council at the time of
filing. This report must be submitted to the Allen County
Auditor's Office and ties City of Fort Wayne's Department of
Economic Development and must be included in the deduction
application. For subsequent years, the performance report

must be updated within sixty days after the end of each year in which the deduction is applicable.

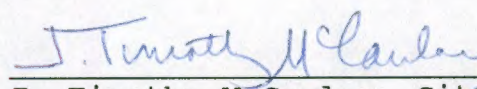
SECTION 10. The performance report must contain the following information:

- A. The cost and description of real property improvement and/or new manufacturing equipment acquired.
- B. The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- C. The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
- D. The total number of employees employed at the facility receiving the deduction.
- E. The total assessed value of the real and/or personal property deductions.
- F. The tax savings resulting from the real and/or personal property being abated.

SECTION 11. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Member of Council

APPROVED AS TO FORM AND LEGALITY


J. Timothy McCaulay, City Attorney

FOUR STAR BOND
SOUTH-WORTH CO. U.S.A.
25% COTTON FIBER

Read the first time in full and on motion by Delmuth, seconded by , and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday, the 22nd, day of June, 19 93, at 5:30 o'clock P.M., E.S.T.

DATED: 6-8-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Delmuth, seconded by , and duly adopted, placed on its passage. PASSED ~~POST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>	<u>1</u>		<u>2</u>
BRADBURY		<u>✓</u>		
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY				<u>✓</u>
LONG				<u>✓</u>
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 6-22-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 9-36-93 on the 22nd day of June, 19 93

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark C. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of June, 19 93, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28th day of June, 19 93, at the hour of 8:30 o'clock 9 A.M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

CERTIFICATE OF SURVEY

OFFICE OF:

DONOVAN ENGINEERING

JOHN R. DONOVAN P.E. No. 9173 P.L.S. No. 9921 INDIANA

FRANCIS X. MUELLER P.L.S. No. SO193 INDIANA

GREGORY L. ROBERTS P.L.S. No. SO548 INDIANA

FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

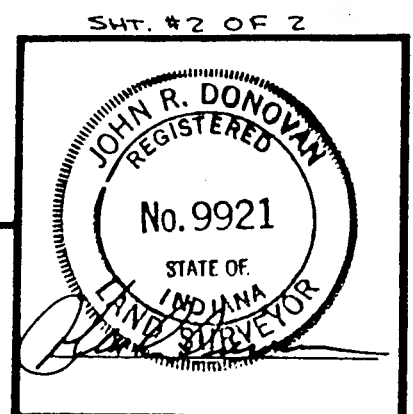
Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Part of a 23.81 acre tract in the Southwest Quarter of the Southeast Quarter of Section 11, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing on the North 50 foot right-of-way line of Cook Road as recorded in Document No. 72-11159 in the Office of the Recorder of Allen County, Indiana, at a point situated 500.00 feet West of the East line of the Southwest Quarter of said Section 11; thence North 88 degrees 58 minutes 19 seconds West, a distance of 341.22 feet (341.60 feet, deed) along said North 50 foot right-of-way line of Cook Road, parallel with and 50 feet distant from the South line of said Southeast Quarter to a point on the East right-of-way line of Di Salle Blvd., as recorded in instrument no. 87-058512 in the Office of the Recorder of Allen County, Indiana; thence continuing North 88 degrees 58 minutes 19 seconds West, a distance of 87.00 feet along said right-of-way line of Cook Road to a point on the West right-of-way line of Di Salle Blvd.; thence North 01 degrees 02 minutes 47 seconds East, a distance of 150.00 feet (119.95 feet, deed), along the West right-of-way line of Di Salle Blvd.; thence North 43 degrees 01 minutes 32 seconds East, a distance of 20.18 feet (46.98 feet, deed) along the Northwesterly right-of-way line of Di Salle Blvd.; thence North 01 degrees 02 minutes 47 seconds East, a distance of 395.00 feet along the West right-of-way line of Di Salle Blvd. to the point of beginning, at the Southeast corner of said Tract #3; thence North 88 degrees 58 minutes 19 seconds West, a distance of 400.00 feet, parallel with the South line of said Southeast Quarter to a point on the West line of said 23.81 acre tract; thence North 01 degrees 02 minutes 47 seconds East, a distance of 280.00 feet along said West line; thence South 88 degrees 58 minutes 19 seconds East, a distance of 360.00 feet parallel with the South line of said Southeast Quarter to a point on the West right-of-way line of the cul-de-sac of Di Salle Blvd., being a regular curve to the right being concave Southwesterly and having a radius of 70 feet; thence South-easterly along said curve and right-of-way line through a central angle of 64 degrees 36 minutes 18 seconds (the chord of which bears South 31 degrees 16 minutes 27 seconds East, a distance of 74.82 feet) an arc distance of 78.93 feet to a point on the West right-of-way line of Di Salle Blvd.; thence South 01 degree 02 minutes 47 seconds West, a distance of 216.75 feet along said right-of-way line to the Point of Beginning, containing 2.53 acres, subject to easements of record.

JOB FOR: MASTERPIECE HOMES

5-19-93



Admn. Appr. _____

DIGEST SHEET

9-93-06-04

TITLE OF ORDINANCE _____ Confirming Resolution

DEPARTMENT REQUESTING ORDINANCE _____ Department of Economic Development

SYNOPSIS OF ORDINANCE Xolox Corporation/S&W Partnership, Ltd. is requesting a tax abatement in order to construct a 20,000 square foot combined office and manufacturing facility that will be expanded to 30,000 square feet as the program matures. They will also purchase several pieces of equipment consisting of primary CNC machinery, assembly station, quality control systems, injection molding, and miscellaneous support equipment.

EFFECT OF PASSAGE Will allow for the creation of 193 permanent jobs.

EFFECT OF NON-PASSAGE Opposite of above.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____ Donald J. Schmidt

BILL NO. R-93-06-04

REPORT OF THE COMMITTEE ON
FINANCE

ARCHIE L. LUNSEY & DONALD J. SCHMIDT - CO-CHAIRPERSONS
HENRY, EDMONDS, LONG

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (~~ORDINANCE~~) (RESOLUTION) designating an "Economic
Revitalization Area" under I.C. 6-1.1-12.1 for property commonly
known as 7615 Disalle Boulevard, Fort Wayne, Indiana, 46825
(Xolox Corporation/S&W Partnership, Ltd.)

HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(~~ORDINANCE~~) (RESOLUTION) _____

DO PASS

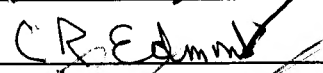
DO NOT PASS

ABSTAIN

NO REC









DATED: 6-22-93

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

June 9, 1993

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert,

Please give the attached full coverage on the date of
June 12, 1993, in both the News Sentinel and Journal
Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN


Bill No. R-93-06-03 & R-93-06-04
Revitalization Area

Bill No. R-93-06-05 & R-93-06-06
Revitalization Area

Please send us 3 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,



Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-93-06-03 AND R-93-06-04)

Notice is hereby given that the Common Council of the City
of Fort Wayne, Indiana, approved a Resolution on 6-8-93,
date

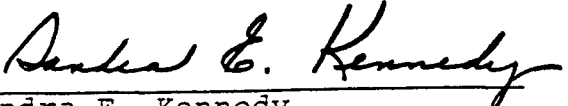
designating property at 7615 Disalle Boulevard, Fort Wayne, IN
(Xolox Corporation/S&W Partnership, Ltd)

an Economic Revitalization Area. A description of the affected area
can be inspected in the County Assessor's Office.

Common Council will conduct a public hearing on whether
the above described resolution should be confirmed, modified and
confirmed or rescinded on Tuesday, June 22, 1993, at 5:30 P.M., o'clock
date, time & place
P.M., Common Council Conference Room 128, 1st Floor, City-County Bldg.
One Main Street, Fort Wayne, IN

If confirmed, said designation shall continue for one (1) year after
confirmation.

All interested persons are invited to attend and be heard
at the public hearing.


Sandra E. Kennedy
City Clerk

FW Common Council
(Governmental Unit)

To: The Journal-Gazette Dr.

ALLEN County, Indiana

P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

23 lines, 1 columns wide equals 23 equivalent lines
at .33 cents per line

\$ 7.59

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 8.59

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: June 12, 19 93

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

6/12/93

Subscribed and sworn to before me this 12th day of June 19 93

Notary Public

NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

My commission expires:

MY COMMISSION EXP. NOV. 29, 1993

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL
(RESOLUTIONS NO. R-93-06-03 AND R 93-06-04
Notice is hereby given that the Common Council of the City of Fort Wayne, Indiana, approved a Resolution on 6-8-93 designating property at 7615 Disalle Boulevard, Fort Wayne, IN (Xolox Corporation/S & W Partnership, Ltd) an Economic Revitalization Area. A description of the affected area can be inspected in the County Assessor's Office.
Common Council will conduct a public hearing on whether the above described resolution should be confirmed, modified and confirmed or rescinded on Tuesday June 22, 1993, at 5:30 P.M., o'clock, Common Council Conference Room 128, 1st Floor, City-County Bldg. One Main Street, Fort Wayne, IN.
If confirmed, said designation shall continue for one (1) year after confirmation.
All interested persons are invited to attend and be heard at the public hearing.
6-12 #278

FW Common Council
(Governmental Unit)To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

23 lines, 1 columns wide equals 23 equivalent lines
at .33 cents per line\$ 7.59Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 8.59

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: June 12, 19 93Title: Cindy Gillenwater Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time 6/12/93, the dates of publication being as follows:

6/12/93Subscribed and sworn to before me this 12th day of June, 1993.Ane M. Perkins
ANE M. PERKINS Notary PublicNOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

My commission expires:

MY COMMISSION EXP. NOV. 29, 1993

NOTICE OF PUBLIC HEARING
FORT WAYNE

COMMON COUNCIL

RESOLUTIONS NO. R-93-06-03 AND R 93-06-04
Notice is hereby given that the Common Council of the City of Fort Wayne, Indiana, approved a Resolution on 6-8-93 designating property at 7615 Disalle Boulevard, Fort Wayne, IN (Xolox Corporation/S & W Partnership, Ltd) as an Economic Revitalization Area. A description of the affected area can be inspected in the County Assessor's Office.
Common Council will conduct a public hearing on whether the above described resolution should be confirmed, modified and confirmed or rescinded on Tuesday June 22, 1993, at 5:30 P.M. o'clock, Common Council Conference Room 128, 1st Floor, City-county Bldg. One Main Street, Fort Wayne, IN. If confirmed, said designation shall continue for one (1) year after confirmation.
All interested persons are invited to attend and be heard at the public hearing.

#278